



Attorney Docket No. 09792909-5030

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:

Yosuke Hosoya

Application No. 09/852,495

Filed: May 10, 2001

For: **POSITIVE ELECTRODE ACTIVE
MATERIAL NON-AQUEOUS
ELECTROLYTE SECONDARY
CELL AND METHOD FOR
PREPARATION THEREOF**

) Group Art Unit: 1745

) Examiner: **Laura S. Weiner**

Certificate of Mailing (37 CFR 1.8(a))
I hereby certify that this paper (along with
any paper referred to as being attached
or enclosed) is being deposited with the
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1/12/04
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated July 11, 2003, finally rejecting claims 2-5 and 7-9. Pursuant to 37 C.F.R. § 1.17(b), the fee for this Notice of Appeal is \$330.00. PTO Form 2038 is enclosed to cover the required fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: January 12, 2004

By: *David Rozenblat*

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